



## COMMISSION MEETING MINUTES

Indiana Fire Prevention and  
Building Safety Commission  
Government Center South  
302 W. Washington Street  
Indianapolis, Indiana 46204  
Conference Center Room B

November 8, 2017

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Nicoson at 9:00 a.m. on November 8, 2017.

(a) Commissioners present at the Commission meeting:

Greg Furnish  
Kevin Goeden, representing the Commissioner, Department of Labor  
David Henson  
Todd Hite, representing the Commissioner, Department of Health  
James Jordan  
Robin Nicoson, Chairman  
Jessica Scheurich, Vice-Chairman  
Scott Pannicke  
Michael Popich

(b) Commissioners not present at the Commission meeting:

Michael Corey  
Joseph Heinsman

(c) The following departmental staff were present during the meeting:

James Schmidt, Deputy Attorney General  
Douglas Boyle, Director of Fire Prevention and Building Safety Commission  
Craig Burgess, State Building Commissioner  
Denise Fitzpatrick, Code specialist  
Beth Sutor, Secretary for the Commission

2. Roll call was held, and it was determined a quorum was present.

3. Minutes Approval

Chairman Nicoson called for approval or corrections of the minutes for the October 3, 2017, meeting. Commissioner Scheurich moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

4. Rulemaking Updates

Justin Guedel, staff attorney for IDHS, stated that the re-adoption of the 2010 Indiana Energy Conservation Code process had been completed, and would be in effect or the coming seven years.

5. Non-Rule Policy Updates

a. Variance filing deadline and new procedure for late filings

Doug Boyle identified himself as the person responsible for reviewing late filings, with the 21 day deadline for filing remaining in place. A form for the late filing of an application has been developed and must be submitted as part of the request. The form is available on the agency web page.

b. Ordinance review process

Doug Boyle gave an overview of the adoption process used for local ordinance approval. He noted that a request for review can be made before the ordinance is adopted at the local level to insure no conflict with State code which would delay the Commission approval procedure. A flow chart of the process will be posted on the agency web page.

6. Update on Potential Electronic Communication Options for Future Commission Meetings

Doug Boyle provided an update on the potential use of electronic communications in future Commission meetings, noting that avenues were being explored. The number of entities who may need to participate with an electronic method has been found to cause issues with some of the options available, and the blending of pieces of different types of technology may need to become an option. The goal is to try to have something to test early next year.

7. State Building Commissioner's Report

Craig Burges, State Building Commissioner, stated he had no updates to report.

8. Commission Action on Third Party Inspection Recertification

PFS Corporation  
Cottage Grove, Wisconsin

Expert Modular Consultants  
Tampa, Florida

Kevin Troy, Fire and Building Code Enforcement, introduced the recertification applications and recommended their approval. Commissioner Jordan moved to approve both applicants, with the second by Commissioner Scheurich. It was voted upon and carried.

9. Petitions for Review

Brookville Park 52  
Cause No. DHS-1734-FPBSC-023

Shining Stars Child Care Academy  
Cause No. DHS-1733-FPBSC-022

Doug Boyle noted that the petitions for review, listed above, were determined to have been timely filed and had been forwarded to the Administrative Law Judge.

10. Non-Final Orders of Dismissal

Branches Bake House, LLC  
Cause No. DHS-1731-FPBSC-020

Wildlife In Need, Inc.  
Cause No. DHS-1710-FPBSC-005

Wawasee Plaza, LLC  
Cause No. DHS-1719-FPBSC-012

Doug Boyle presented the Non-Final Orders of Dismissal for the Commission's consideration. Commissioner Scheurich moved to affirm the orders, with the second by Commissioner Goeden. It was voted upon and carried.

11. Review of Local Ordinances

Revised Building Ordinance No. 2017-09, Akron, and Building Ordinance No. 2013-02, Fulton, were discussed together since they had been submitted and presented by Casey Cowles, Area

Plan Director for Fulton County. Doug Boyle had been talking to her, but no corrected ordinances had been received. Following discussion, Commissioner Furnish moved to deny for lack of a substantive nature, with the second by Commissioner Scheurich. It was voted upon and carried.

Ordinance No. 4446, Michigan City, was presented by Fire Marshal Kyle Kazmierczak. The ordinance was to allow the city to require carbon monoxide detectors in Class II structures, with the notation that this ordinance contained a "sunset" provision which would render it invalid if the State adopted rules requiring the installation of carbon monoxide monitors. He also noted that a fund had been established to provide CO detectors for those residents of Michigan City who could not afford to purchase their own. Andy Snyder, LaPorte Fire Chief, also spoke in favor of the ordinance. Doug Boyle pointed out incorrect terms and conflicts of language in Section 54-282. Following discussion, Commissioner Furnish moved to table to allow Michigan City to correct the conflicts, with the second by Commissioner Scheurich. It was voted upon and carried.

## 12. Variances

### a. Tabled

#### 17-09-47 Harmony Home LLC, Huntington

Robert Knorr, owner, spoke as proponent. The request was to allow the home being used for a recovery program for men to omit sprinklers. An NFPA 72 fire alarm system will be installed, and fire extinguishers will be placed in every room. There will be no more than ten residents living in the facility, plus 24/7 staff in attendance. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Popich. It was voted upon and carried.

**Breaking and reconvening:** Chairman Nicoson recessed the Commission at 9:56 am. It was called back to order at 10:14 am.

#### 17-09-69 Edgewood Middle School Sprinklers, Warsaw

No proponent was available for questions. Commissioner Scheurich moved to deny due to lack of substantive information, with the second by Commissioner Popich. Following discussion concerning action on applications without proponents, the maker and second of the motion to deny rescinded the motion. Commissioner Scheurich then moved to table, with the second by Commissioner Popich. It was voted upon and carried.

#### 17-10-01 Fire Pump, Ft. Wayne

The application was incomplete and ineligible to be heard. Commissioner Jordan moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

17-10-03 Upstairs Bedroom Windows, Bloomington

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Henson. It was voted upon and carried.

17-10-04 North End Community Center, Lafayette

The application was incomplete and ineligible to be heard. Commissioner Jordan moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

17-10-05(a)(b)(c)(d)(e) Blue Creek Amish School, Berne

No proponent was available for questions. It was noted that this was an Amish school, requesting items which were standard for their school variances. Commissioner Furnish moved to approve (a), (c), (d),(e), and no variance required for (b). Commissioner Scheurich made the second. It was voted upon and carried.

17-10-07(a)(b) Kitchen Addition, Leavenworth

Charles Totten, architect, spoke as proponent. Stan Owen, American Legion Post 133 member, was also present. A stairway to the second floor was cited for a noncompliant handrail and guard. The stair, infrequently used, is there as an emergency stairway for the room used for table and chair storage on the second floor. Following discussion, Commissioner Pannicke moved to approve with the conditions that the room is to be used for storage only and not for assembly use. Commissioner Popich made the second. It was voted upon and carried.

17-10-40 Chemical Storage and Security, Indianapolis

Vince Stout, Conagra, and Hannah Kiger, Power Engineers, spoke as proponents. The request was to allow the food processing plant to exceed the allowable quantity of corrosive chemicals per control areas. There will be three tanks for a total of 7,150 gallons stored in a room which will comply with 2014 IFC 5001.3 Performance Based Design Alternative. The facility is sprinklered with a metal roof deck and metal framing. Additional exits are being added, and the venting is 100% outside air. Following discussion, Commissioner Popich moved to approve, with the second by Commissioner Pannicke. It was voted upon and carried.

(b) New

Chairman Nicoson asked for any variances to be called out for individual consideration or any abstentions. Commissioner Popich abstained from 17-11-36 St. Vincent Health Administration Office, Indianapolis, 17-11-39 Notch at Nora, Indianapolis, 17-11-51 Project Lead the Way, Indianapolis, and 17-11-58 Casey's General Store on Madison Avenue, Indianapolis. Chairman Nicoson abstained from 17-11-01 One North Parking, Fishers, and 17-11-02(a)(b) Extra Space

Storage – Olio Road, Fishers. Commissioner Furnish moved to approve the “A” and “B” variances, with the second by Commissioner Jordan. It was voted upon and carried.

The following variances were approved as submitted:

17-11-01 One North Parking, Fishers  
17-11-02(a)(b) Extra Space Storage – Olio Road, fishers  
17-11-03(a)(b) Parkwood Amenity Center, Carmel  
17-11-08 Cityscape @ Plainfield, Plainfield  
17-11-09 HIE, Marion  
17-11-11 Hamilton County Jail Addition, Noblesville  
17-11-12 Building Addition for Ivan Yutzy, Shipshewana  
17-11-13(a)(b) Glasswater Creek of Lafayette, Lafayette  
17-11-14(a)(b) Encompass Credit Union, Tipton  
17-11-15 Fairfield Inn & Suites, Columbus  
17-11-16 Midtown West, Carmel  
17-11-17 University of Notre Dame Baldwin Hall, Notre Dame  
17-11-18 Anson Senior Living, Whitestown  
17-11-19 Richmond Art Museum, Richmond  
17-11-20(a)(b) Bulldog Park Ice Rink, Crown Point  
17-11-36 St. Vincent Health Administration Office, Indianapolis  
17-11-39 Notch at Nora, Indianapolis  
17-11-41 Greenfield Fire Station 22, Greenfield  
17-11-42(a)(b)(c) Crawford 2 Apartments, Bloomington  
17-11-45 The Sanctuary, Columbus  
17-11-47 Greene County Jail Addition, Bloomfield  
17-11-48(a)(b) Liberty Christian School, Anderson  
17-11-51 Project Lead the Way, Indianapolis  
17-11-52 Parkwood Amenity Center, Carmel  
17-11-58 Casey’s General Store on Madison Avenue, Indianapolis  
17-11-64 Rossville Consolidated Schools Athletic Facilities, Rossville  
17-11-69(a)(b) Embassy Suites Notre Dame, South Bend

#### C/D/NVR

17-11-04 Fifth Third Bank Secured Entrance, Indianapolis

Curt Galloway and Victor Mahon spoke as proponents. The request was to omit the push-to-exit device in the magnetically locked entrance with metal detector security system. If a possible weapon is detected at the first door, the second door will not open and the person must exit the chamber the way they came in. They are not locked in the entry chamber. The locks fail open at loss of power or fire alarm activation, use of the exterior keyswitch or all doors being held open. Jeff Dean, City of Indianapolis, and Margie Bovard, Indianapolis Fire Department, also made comments. Following discussion, Commissioner Pannicke moved to approve due to the two additional exits from the lobby. Commissioner Hite made the second. It was voted upon and carried. Commissioner Popich abstained.

17-11-05 Garment Factory Events, Franklin

Todd Bemis, owner, spoke as proponent. The request was to allow an existing 1950's elevator that opens into a commercial kitchen to remain as is without having a rated shaft and door. The owner states the freight elevator will be used by catering staff to transport items from the basement to the upstairs ballroom. The elevator has been inspected and has a sprinkler head at the top of the shaft. Following discussion, Commissioner Furnish moved to approve with the condition that a sign be posted which states "not for fire service use". Commissioner Pannicke made the second. It was voted upon and carried.

17-11-06 Remove Occupant Fire Hose, Ft. Wayne

The variance was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

17-11-07(a)(b)(c)(d)(e) Swiss Meadow Amish Parochial School, Monroe

The variance was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Pannicke. It was voted upon and carried.

17-11-10 Starbucks Coffee, Evansville

No proponent was available. Kevin Troy, Fire and Building Code Enforcement, was familiar with the project and explained that the owner wished to use a paddle crash bar instead of the traditional full bar on the door. Following discussion, Commissioner Scheurich moved no variance was required, with the second by Commissioner Jordan. It was voted upon and carried.

17-11-21 Fitness Farm Pole Barn, Indianapolis

Andrew Livingston, landscape designer, spoke as proponent. A wood-framed pole barn to be used for equipment storage, finished office space, restrooms and produce processing activities for the agricultural operations. The request was to allow the use of an existing twelve feet wide lane with a 20' wide entrance used by construction trucks during the pole barn construction, as the fire access lane instead of the compliant twenty foot wide lane. To construct a compliant road, an existing spruce hedge would have to be removed and a grove of pecan trees on the other side of the road would be endangered. Site provisions have been made for a fire hydrant within 400' of the building. Margie Bovard, Indianapolis Fire Department, noted code required 150' for compliant access. Following discussion, a compromise of a 15' wide fire lane was offered by the proponent, and, following further discussion, Commissioner Scheurich moved to table to allow the proponent to speak to the owners. Commissioner Popich made the second. It was voted upon and carried.

#### 17-11-22 Wooden Middle School 2017 Additions and Renovations, Martinsville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. A Type II-B construction addition was to be added to the existing Type II-B construction school, exceeding the allowable area. The request was to use a 2-hour fire barrier wall to separate the new construction from the existing construction in lieu of the required 4-hour independent fire wall. Neither structure will be sprinklered. The 2-hour fire barrier walls will separate the addition and a portion of the existing school, thereby reducing the size of the existing fire area. Smoke detection will be provided in the new corridors and connected to the existing smoke detection system. The proponent explained the hardship is the cost and difficulty of providing 4-hour structurally independent fire walls, but did not have the cost involved before him. Commissioner Scheurich moved to table to allow him to get the cost of the walls, and provide an elevation. Commissioner Furnish made the second. It was voted upon and carried with one nay.

#### 17-11-23 Eskenazi Museum of Art Renovation, Bloomington

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The request is to allow an existing 48" wide stair space from the terrace, intended for art display, to be removed and replaced with a new ramp system with a minimum of 8'8" of egress width. The terrace space will now be used for outdoor overflow seating for a new café in the sprinklered museum. This variance is to supersede variance 17-07-40(a) that was granted based on the 48" stair being replaced with a new ramp and stair system with 20'7" of egress width. Following discussion, Commissioner Popich moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

#### 17-11-24 IU Health Precision Genomics, Indianapolis

Derrick Holman, RTM Consultants, spoke as proponent. The facility had received a citation for a noncompliant second means of egress. The proponent stated that the violation was due to the second exit from "Shared Room 3335" exceeding the allowed 300 feet. He argued that the code requires the maximum travel distance to be measured to **an** exit and not to **all required exits** from the space/floor. Following discussion, Commissioner Henson moved no variance required, with the second by Commissioner Jordan. It was voted upon and carried. Commissioner Popich abstained.

#### 17-11-25 Hoyt, Indianapolis

Karen Rominger, owner, and Josh Napier, contractor, spoke as proponents. The older house is being renovated, and is located less than three feet from the property line. The owner was originally told operable windows in the first floor bedroom were acceptable, and now they are being told they are not. The request was to allow two operable windows on the east property line for safety reasons because they are in a bedroom. Heat detectors, smoke detectors and carbon monoxide detectors will all be installed. Following a lengthy discussion, Commissioner Pannicke



moved to table to allow the owner to explore options, with the second by Commissioner Scheurich. It was voted upon and carried. Commissioner Popich abstained.

**Breaking and reconvening:** Chairman Nicoson recessed the Commission at 12:00 noon. It was called back to order at 1:04 pm.

17-11-26 Renovations and Addition to FACE Clinic, Indianapolis

James Lingenfelter, architect, spoke as proponent. The request was to allow the second floor stair landing to not meet the required width of 44" due to the roof access ladder intruding into the required space, leaving approximately 40" of width. The ability to exit safely is not affected as the reduced width does not create a funnel condition. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Commissioner Popich abstained.

17-11-27 Silver Birch of Evansville RCF, Evansville

17-11-62 Silver Birch of Mishawaka RCF, Mishawaka

Joshua Dormeier, ARCO Murray National Construction, spoke as proponent. The request was to be allowed to install NFPA 13R sprinkler systems in both the I-1 and A-2 secondary areas of the building so that the building will be sprinklered with the 13R system throughout. Following discussion, Commissioner Scheurich moved no variance required, with the second by Commissioner Pannicke. It was voted upon and carried.

17-11-28 New Albany High School Entry Commons Remodel, New Albany

Roger Lehman, RLehman Consulting, spoke as proponent. The fully sprinklered school currently has a 4-hour wall separating the north wall of the east quadrant from the north area of the west quadrant. Part of the wall will be removed to open up the commons area. The request is to allow a 2-hour fire barrier to be installed to separate all three levels of the school in an adjacent location. Close spaced sprinklers and smoke detection will be installed on both sides of the 2-hour fire barrier of the Type II-A construction building. Following discussion, Commissioner Scheurich moved to approve, with the second by Commissioner Popich. It was voted upon and carried.

17-11-29 9210 Warehouse, Noblesville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An existing warehouse constructed in 1978 housed high-piled storage, and the previous tenants had high-piled storage. The current tenant wishes to install high-piled storage and has been told by the local fire official that he must comply with current code and install sprinkler, fire access roads, access doors and smoke/heat

vents. The proponent feels that the facility is grandfathered and not required to comply with the request. Darryl Cross, Noblesville Fire Department, also addressed the Commission. Following discussion, Commissioner Pannicke moved to table to allow the proponent time to research the building's history, with the second by Commissioner Hite. It was voted upon and carried.

17-11-30 University of Notre Dame Campus Crossroads Moose Krause Circle, Notre Dame

Ed Rensink, RTM Consultants, spoke as proponent. The request was a 6 month extension of a variance, #17-03-31, which allowed an emergency radio system with limited coverage to be used until the campus-wide system upgrades were completed. The variance was due to expire November 30, 2017. Following discussion, Commissioner Furnish moved to approve with the condition that the variance was valid until May 30, 2018. Commissioner Popich made the second. It was voted upon and carried. Commissioner Pannicke abstained.

17-11-31 Monon Lofts, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the use of beveled transition strips upon request of the tenant for eight first floor patio doors, due to non-compliant threshold height, to make the patios accessible. Lowering the thresholds could create leakage issues. Following discussion, Commissioner Jordan moved to approve with the second by Commissioner Scheurich. It was voted upon and carried. Commissioner Popich abstained.

17-11-32 Faith North Community Center, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit the emergency voice/alarm communication system in the fully sprinklered building. Because it is felt that the voice/alarm system would probably not be clear due to the volume of space in the gym and other athletic areas of the building, a standard fire alarm system with horns and strobes will be installed throughout the building. Following discussion, Commissioner Jordan moved to approve with the second by Commissioner Scheurich. It was voted upon and carried.

17-11-33 East Allen County Schools New Haven Jr/Sr High School Addition, New Haven

Dennis Bradshaw, FP&C Consulting, spoke as proponent. The request was to allow the closing of two exits at a time during renovations to the school where affected by construction, while the required means of egress will be maintained. The current egress capacity exceeds the current code requires for their calculated occupant load. Following discussion, Commissioner Scheurich moved to approve with the condition the variance is valid until August 21, 2019. Commissioner Pannicke made the second. It was voted upon and carried.

17-11-34 50 E. Thompson Convenience Store, Indianapolis

Mario Guerra, contractor representative, spoke as proponent. In an effort to increase accessibility for their customers, a 30½" counter which had been designed as a drawer/tray was installed at a height of 31¼" and was cited. Ryan Schmidt, City of Indianapolis inspector, addressed the Commission. Following discussion, Commissioner Scheurich moved to table, with the second by Commissioner Pannicke. It was voted upon and carried. Commissioner Popich abstained.

17-11-35(a)(b) DK Pierce Associates Office Building, Zionsville

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) had been eligible for the block vote. Commissioner Jordan moved to approve, with the second by Commissioner Popich. It was voted upon and carried. Variance (b) was to allow the aisle formed by mechanical equipment in Mechanical Room 125 to be less than the code-compliant 28". It will be 18" at the narrowest point, but the required clear working space is provided. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Pannicke. It was voted upon and carried.

17-11-37 Indy Hyatt Dual Brand, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow exterior openings in the west exterior wall on the first floor of the 7-story parking garage to have 13% of exterior openings and floors 2 through 7 to have 26% of exterior openings. A 15 foot alley separates the parking garage from the neighboring building, and measuring to the center line would permit 10% of exterior openings. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Commissioner Pannicke abstained.

17-11-38 Carniceria El Ranchito 2, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to omit the voice/alarm communication system. Per the proponent, the fully sprinklered facility has a calculated occupant load of 1,000 based on an non-concentrated table and chair seating, and has been in operation for three years without the required system and has not been cited before. The rooms have a posted occupant load of 500 for Banquet Room A and 1200 for Banquet Room B which are separated with a 1-hour fire barrier from the rest of the building. A shunt trip with a dedicated outlet will be added, and the occupant load postings changed to 366 and 577 respectively. Margie Bovard, Indianapolis Fire Department, and Jeff Dean, City of Indianapolis, both addressed the Commission as well. Following discussion, Commissioner Scheurich moved to table with the second by Commissioner Popich. It was voted upon and carried.

17-11-40(a)(b) Chapel Hill United Methodist Church, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in (a) was to allow a warming kitchen to be put into on the first floor and a classroom/storage room addition to be put in the basement. The proponent states the occupant load will basically stay the same since the existing classroom on the first floor will be converted into a toilet room, and a new classroom will be added in the basement. Both the basement and first floor are at the level of exit discharge. Variance (b) is a request to use allow an existing 2-hour fire barrier to be used in lieu of a 2-hour fire wall to separate the existing church and the additions on both floors. A new set of double egress 90-minute doors will be provided. Following discussion, Commissioner Pannicke moved to approve with the second by Commissioner Furnish. It was voted upon and carried.

17-11-43(a)(b) KAR Global Headquarters, Carmel

Ed Rensink, RTM Consultants, spoke as proponent. The request in (a) is to allow an open egress stair to connect five stories instead of the four stories allowed by code if other than a B or M Occupancy is present. The first floor will include a dining/conference facility and a fitness area. Upper floors may include meeting/training rooms of less than 10% per floor. The building is sprinklered throughout with an NFPA 13 system, and will have a design density increase of 50% above light hazard occupancy. Draft curtains and close space sprinklers will also be provided. Variance (b) was to permit the building to exceed the allowable area for multi-story buildings of Type IIB construction by 10%. Following discussion, Commissioner Jordan moved to approve both, with the second by Commissioner Popich. It was voted upon and carried. Commissioner Pannicke abstained.

17-11-44 Hamilton County Judicial Building Expansion, Noblesville

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow temporary egress during construction. A stair on the west end of the building will be removed to make way for an addition. Revised egress signage will be posted and fire drills will be held based on the temporary egress plan which was accepted by the local fire department. Sprinklers and fire alarm systems will remain operational. Following discussion, Commissioner Furnish moved to approve with the condition that the variance be valid until January 1, 2020. Commissioner Jordan made the second. It was voted upon and carried.

17-11-46 Machine Shop Addition Marian Inc, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request is to allow four windows in the exterior wall of the existing building, which is being used to separate the addition and existing building, to be protected by quick response sprinklers at the ceiling level within a foot horizontally of each opening in lieu of fire shutters. Both buildings will be sprinklered. The owner wishes to be able to see into the new shop area and to get the natural lighting from the addition. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Goeden. It was voted upon and carried.

17-11-49 West Baden Springs Hotel, West Baden  
17-11-50 French Lick Resort and Casino, French Lick

Mark Riffey, Ryan Fireprotection, spoke as proponent. The request is to allow the smoke detection system to be put in "event mode" when the facilities are being used by musical groups or theatrical performers that use smoke or fog machines in their performances to prevent false alarms. A fire watch will be in place with trained professionals at each exit when the system is placed in "event" mode, and no fireworks, candles, sparklers or open flames will be allowed while in this mode. Following discussion, Commissioner Popich moved to approve with the condition that the evening shut down instructions include removing the smoke detection system from event mode. Commissioner Pannicke made the second. It was voted upon and carried.

17-11-53 Brownsburg Ambulatory Care Center, Brownsburg

Christina Collester, RTM Consultants, spoke as proponent. The request is to allow the new Brownsburg Ambulatory Care Center to host a charity event and several tours without being made to comply with new construction or Chapter 34 before getting the certificate of occupancy. An emergency generator, fire alarm system, sprinkler system, stair enclosures, emergency plans and procedures and emergency egress lighting will be in place as required. No smoking will be allowed, and event staff will be located throughout the building to assist guests. The facility will then shut down until officially opening on December 4<sup>th</sup>. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Popich. It was voted upon and carried.

**Breaking and reconvening:** Chairman Nicoson recessed the Commission at 2:50 pm. It was called back to order at 3:00 pm.

17-11-54 Life Science Logistics Cold Rooms, Brownsburg

Christina Collester, RTM Consultants, spoke as proponent. The request is to allow high speed vinyl overhead doors, needed for temperature control, to be installed in the cold storage units within the existing warehouse. The doors will also be installed on the south side of the unit at the sliding doors for forklift access. Four of five of the units have a single side-hinged swinging door with exiting operated by a card-sensor system, on the north side of the unit, and the fifth unit has two. The facility is protected by an ESFR system. Following discussion, Commissioner Popich moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

17-11-55 Hamilton Heights Elementary School, Arcadia

Carrie Ballinger, RTM Consultants, spoke as proponent. A new gymnasium and courtyard are being added to the existing school. The request is to allow a temporary means of egress during construction. The school is fully sprinklered throughout, and the exit lighting and signage will be adjusted as necessary to accommodate the changes to the egress system. Fire drills will be conducted to familiarize students and faculty to the changes. Following discussion, Commissioner

Scheurich moved to approve with the condition that the variance be valid until June 30, 2019. The second was made by Commissioner Pannicke. It was voted upon and carried.

17-11-56(a)(b)(c) LaPorte Intermediate Schools on the Kesling Campus, LaPorte

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to be allowed to permanently remove five hose stations from the existing building due to conflict with the renovation. There will be twenty six existing hose stations remaining. Commissioner Jordan moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Variance (b) was to allow the closure of three exiting exterior exits temporarily during construction. There will be revised egress signage and fire drill conducted to familiarize students and faculty of the revised routes. Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Variance (c) was a request to allow portions of the new addition to be occupied prior to completion of the sprinkler system throughout the entire addition. Each portion of the addition will have operational sprinklers prior to occupancy of that portion, and their means of egress will not pass through areas of the addition under construction. Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

17-11-57 Renaissance District Building 84, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. An existing building is being developed for mixed commercial and residential uses and is fully sprinklered. The request was to omit the fire containment system in the gap between the existing 2-hour floor assembly and the new curtain wall until the tenant spaces are identified for its use. The upper floors are intended for residential use. Following discussion, Commissioner Popich moved to approve with the condition that all floors below the residential level must have the fire containment system completed before any residential occupancy is allowed. Commissioner Jordan made the second. It was voted upon and carried.

17-11-59 Removal of Fire Drop Doors, Shelbyville

Timothy Dravet, Ryobi Die Casting, spoke as proponent. Drop down fire doors had been installed by previous owners where hazardous materials and chemicals were present. The current owner does not use the areas for storage of hazardous or flammable chemicals, and the request is to be allowed to remove two of the doors. All five doors had passed inspection last year. This year two failed, and to replace them would be \$40,000 to \$50,000. Ryan Akers and Robbie Stromberger, Shelbyville Fire Department, spoke against the variance. Following discussion and at the urging of the Chairman for the proponent and fire officials to work together, Commissioner Jordan moved to table with the second by Commissioner Furnish. It was voted upon and carried.

17-11-60 Grace St. John Head Start, Ft. Wayne

Mary Lee Freeze, Brightpoint, spoke as proponent. The request was to omit the manual fire alarm system in the existing building. It had been a licensed Head Start Center, and while there are smoke detectors and two exits from each classroom, there is no fire alarm system. This is a temporary location to be used for the four months before the renovation of the permanent facility is completed, and all students and staff move out of the building. Jim Murua, Ft. Wayne Fire Department, was present and did not object to the variance. Following discussion, Commissioner Pannicke moved to approve with the condition that the variance be valid until July 1, 2018. Commissioner Furnish made the second. It was voted upon and carried.

17-11-61 Walnut Hill Early Childhood Center, Goshen

Mary Syslo, Executive Director, spoke as proponent. The request is to omit the panic hardware on the gates surrounding the six playgrounds of the school in order to maintain a secure containment for the children ages one through five. During an emergency, staff, trained in the emergency procedures, will open the gates and assist the children in an orderly evacuation. The local fire department does not object to using a key and lock to secure the gates. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Furnish. It was voted upon and carried with one nay.

17-11-63 Hotel Broad Ripple Phase II, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Also present was Debra Stolen-Hasbrook, owner. Variance 16-11-09 had originally been granted for the conversion of a residence to an R-1 occupancy. The plans had been modified and the scope of the project reduced from that listed in the first variance to rooms for eight guests. The request in this variance was to supersede variance 16-11-09 to permit Rule 13 conversion to an R-3 occupancy without including a 13D sprinkler system since there was no expansion of enclosed floor area as in the original design. An exterior stair to serve the second floor will be constructed, with an individual exterior deck for each of the two second story guest rooms. Exit width, egress illumination, mechanical, electrical, and plumbing systems comply with rules for new construction. Smoke alarms will also be provided. Jeff Dean, City of Indianapolis, and Margie Bovard, Indianapolis Fire Department, and Kevin Troy, Fire and Building Code Enforcement, Craig Burgess, State Building Commissioner, also addressed the Commission. Ms. Stolen-Hasbrook asked to speak, and told the Commission that she had fully intended to provide the 13D system, but she was under the impression that when they didn't expand the fire area they didn't need the sprinklers. The money she had set aside for the sprinklers has been spent on a firewatch for the last ten days, and to have to install sprinklers now that the construction is finished and drywall up would shut her down. She was not, she noted, a rule-breaker. Following discussion, Commissioner Henson moved to approve, with the second by Commissioner Pannicke. It was voted upon and carried. Commissioner Popich abstained.

#### 17-11-65 Apartment Building Remodel. Rochester

Kenneth Hoff, owner, spoke as proponent. A brick apartment building built in the 1950's was being removed. The request was to be allowed to install a monitored central fire alarm system in lieu of the required NFPA 13R sprinkler system. The existing building has little or no ceiling clearance to allow for sprinkler piping, with the typical ceiling heights being 7'11". The building is being converted to electric with the removal of the gas boiler. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Popich. It was voted upon and carried.

#### 17-11-66 Tim Horton's Store 916670, Indianapolis

Dan Tursman, Luke Family of Brands, spoke as proponent. The request is to allow the south side of the building to be built on the south lot line with a non-rated exterior wall and a drive-through window. The proponent stated in the application that there is a 20 foot recorded easement on the north side of the adjacent property which would allow the building to be built on the south lot line. Sam Bruner, Pike Township Fire Department, addressed the Commission and did not object to the variance. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Popich. It was voted upon and carried.

#### 17-11-67 Indiana Michigan Power Center, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The door leading from the elevator lobby into the tenant spaces on floors 3 through 26, which house private offices not open to the general public, were to be equipped with card-reader devices. This results in no exit from the elevator lobby, a condition which has existed for 30 years due to the design of the building. Jim Murua, Ft. Wayne Fire Department, was aware of the condition and did not object to the variance. Following discussion, Commissioner Scheurich moved to approve with the second by Commissioner Popich. It was voted upon and carried.

#### 17-11-68(a)(b)(c)(d) Rossville K-12 Additions and Renovations, Rossville

Ed Rensink, RTM Consultants, spoke as proponent. Variances (a) and (c) had been eligible for the block vote. Commissioner Pannicke moved to approve both, with the second by Commissioner Popich. It was voted upon and carried. Variance (b) was to allow a storage mezzanine to exceed the allowable area. It will be open to both the Ag and Shop rooms as required. Commissioner Pannicke moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (d) was to allow the addition of the entry/administrative/media center to the existing building which will then exceed the allowable area for Type II-B construction. The addition will be sprinklered, as well as the renovated area on the main level. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Popich. It was voted upon and carried.



17-11-70 Burket Educational Center, Burket

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

17-11-71(a)(b) North American Cold Storage, Woodburn

Christina Collester, RTM Consultants, spoke as proponent. The request in variance (a) was to allow the smoke and heat vents in the flash freezer warehouse used to store meat and vegetables to be omitted and knockout panels provided instead. A fire alarm system with strobes and horns will be provided. Access doors are located to provide clear and non-complicated access and exits, and staff is trained in emergency procedures. Variance (b) was to omit the automatic sprinklers system in the freezer warehouse. Commissioner Furnish moved to approve both variances, with the second by Commissioner Popich. It was voted upon and carried.

17-11-72 T 129 Evonik Corporation Tippecanoe Laboratories, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. The request is to allow a building which had been an H-3 occupancy storing oxidizers to be changed to an H-4 occupancy storing corrosives without having to sprinkler the building or provide continuous mechanical ventilation. No combustibles will be stored in the building, and an installed smoke detectors send alarm signals to the site's security headquarters when activated. Following discussion, Commissioner Pannicke moved to approve with the second by Commissioner Hite. It was voted upon and carried.

17-11-73 North Adams Community Schools Classroom Addition, Decatur

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow the existing means of egress to be altered due to a 2-story addition by closing two exits. Revised egress signage will be posted and fire drills will be conducted to familiarize the school population with egress routes in the sprinklered building. Following discussion, Commissioner Furnish moved to approve with the condition that the variance be valid until June 1, 2018, with the second by Commissioner Scheurich. It was voted upon and carried.

17-11-74 North Adams Community Schools Connector & Kitchen/Café Additions, Decatur

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow the existing means of egress to be altered due to a new connector addition between the existing school building and the new kitchen addition. Revised egress signage will be posted and fire drills conducted. Commissioner Henson moved to approve with the condition that the variance be valid until September 1, 2018. Commissioner Scheurich made the second. It was voted upon and carried.

17-11-75 William Tell Elementary School, Tell City

Tim Callas, J&T Consulting, and Lauren Noble, Principal, spoke as proponents. The request was to allow delayed egress hardware on a classroom containing 10 students, 3 of whom are autistic children. One student is able to elope from the classroom frequently. The building, constructed in 1998, is sprinklered with an NFPA 13 system, and has a fire alarm system with horns and strobes. An emergency panic button will be installed for medical or other non-fire events to shut power off to the hardware, and a remote alarm/shutoff will be in the administration area. Other methods of accessing delayed egress over-ride were suggested for consideration, with the most support for the fob system since it did not interfere with accessibility requirement. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Goeden. It was voted upon and carried.

13. Non-rule Policy

Doug Boyle brought the revised Non-rule Policy for Commission Approval. Commissioner Pannicke moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

14. Comments and Closing Remarks

Chairman Nicoson thanked everyone for their time and efforts.

15. Adjournment

Chairman Nicoson adjourned the meeting at 5:07 p.m.

APPROVED: \_\_\_\_\_  
Robin Nicoson, Chairman